## GERMANY AND THE PAPACY.

An Official Statement from Prince

Bismarck.

The Frince Authorizes the Herald to Represent the Prussian Case to the American People.

BERLIN, Feb. 12, 1874.

I am authorized to state that the rumors circulated chiefly by the English press to the effect that the French government had been compelled to cede to German induence in the recent measures it has taken in ecclesiastical affairs is untrue. The acts of the French Ministry were spontaneous. The steps lately taken at Versailles were not the result of any demand from the German government. Any interierence in the internal affairs of a foreign State is contrary to German policy and custom. The imperial German government has ing against the French bishops according to French law for the offence of lese-majests; but it is altogether erroneous to pretend that the German government has made any demand whatever upon the French government. Upon the other hand, however, it is for Germany to judge whether the satisfaction which is offered by France will dispense her from the necessity of having recourse to French legislation and justice.

BISMARCE'S CASE.

The Prince Chancellor of the German Empire, moreover, declares that the friendly testimonies he has received relative to the latest debates in the French Chamber of Deputies, both by letter and telegraph, are so numerous that he is unable to reply particularly to each of them. He, therefore, desires to make a general acknowledgment of his lively gratitude for the many proofs of conadence which have been given him from all parts

of the German Empire and from foreign countries. I am also authorized to state that the Prussian government has presented two new projects of law to the Landtag, designed to complete the laws of May, 1873, which regulate the relations between the State and Church. The text of these two prolects of law, and a statement of the reasons upon which they are based, have been courteously communicated to me by Prince Bismarck for transmission to the NEW YORK HERALD, and are as fol-

PROJECT OF LAW TO EXPLAIN AND COMPLETE THE LAW OF THE 11TH OF MAY, 1873, ON THE EDUCATION AND APPOINTMENT OF ECCLESIASTICS.

ARTICLE 1.—The law of the 11th of May, 1873, is to be interpreted as meaning that the presentation to an ecclesiastical employment, as well as the approval given to such offerentiation, volates the prescription of sections 1-3 of the said law if they take place without the nomination of the candidate being made (to the President Superior of the province), as is prescribed by section 15 of the same law, or before this nomination, or before the expiration of the delay accorded by the same section 15 to allow the entry of a protest.

ART. 2.—The penalty decreed by the twenty-third section of the law of 11th of May, 1873, attaches to every ecclesiastic who exercises the functions of Church employment without being able to iurnian proof that he has been appointed according to sections 1-3 of the said law to an employment anthorizing him to exercise said functions, or to a situation of substitute or auxiliary in a similar office.

ART, 3.—When an ecclesiastical employment be-

arisen in the interpretation of the law, and, on the other hand, there are some other complimentary prescriptions to be established to prevent the law from oneing cluded, as has been tried, or to assure the action of the law in lace of the opposition which goes on increasing, by the creation of more efficacious means of repression.

The present project proposes to achieve these results in proposing in the first article an interpretation of the penal enactments of this law; in the second, a completing of the penal enactments; lastly, in the third article, a new means of repression by the sequestration of the temporalities of the see against the introduction of ecclesiastics illegally appointed to employments in the Church. On each of the points the following observations remain to be made:

ARTICLE 1.—The want of an interpretation of sections 22 and 23, and conjointly sections 17 and

remain to be made:

ARTICLE 1.—The want of an interpretation of Sections 22 and 23, and conjointly sections 17 and 1, of the law of the lith of May, 1873, leads to the remsal on the part of the inferior courts to apply the penal enactments of sections 22 and 23, except in those cases where a profest has been made on the part of the President Superior against a nomination to a Church employment, and as a consequence these tribunals acquit in cases where the candidate has not been designated by name to the President Superior, as section 15 requires. This interpretation is produced chiefly by the wording of section 17, which appears to establish a distinction between those nominations which violate section 1 and those which are made before the expiration of the delay granted to enter a protest. Such an interpretation should be considered unsound, in the sense that the terms of section 17—"Or take place before the expiration of the delay accorded to enter a protest."—ought not, and could not, have for object to indicate as null and word a particular presentation to an ecclesiastical employment made without reference to the prescriptions of section 1; but these terms, as clearly shown by the wording of the original draft, were only admitted into the law on the proposition of the Commission of the So in February, page 9) an amendment in the wording, with the object of completing what the said paragraph proposed.

PROJECT OF LAW ON THE ADMINISTRATION OF VA-

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Section 1.—in a Catholic dishopric of which the
see is vacant the religious rights and functions attached to the coisconal charge tracket.

see is vacant the religious rights and functions attached to the episcopal charge, together or separately—in so is a sthese rights and functions do not concern the administrations of the property of the bishopric—are not to be exercised until the installation of a bishop recognized by the State, except according to the following dispositions of the present law:

SEC. 2.—Whoever wishes to exercise episcopal rights or functions of the nature pointed out in section 1 must address, to the President Superior of the Province a communication in writing on the subject, specifying the extent of the rights which are to be exercised; in addition he must produce the ecclesiastical commission which has been given to him, and jurnish proof that he possesses the personal qualities on which the law of the lith of May makes presentations to ecclesiastical care displayments depend. He must declare at the same time that he is ready to make a promise on i employments depend. He must declare at the iemployments depend to make a promise on me time that he is ready to make a promise on the king

the lith of May makes presentations to ecclesiastical employments depend. He must declare at the same time that he is ready to make a promise on oata to remain intibini and obedient to the king and to conserve the laws of the State.

SEC. 3.—In the ten days after the reception of this communication the President Superior can enter a protest against the exercise of the rights and functions of a bishop, as explained in section 1. In the protest to be entered the prescriptions of section 16 flad their application. In this measure the appeal to the courts for ecclesiastical affairs can only be made in delay of ten days.

If no protest is entered or if the protest is rejected by the courts of ecclesiastical affairs, the engagement by oath prescribed in section 2 is to be taken before the fresident Superior or before a commissary named by him.

SEC, 4.—whoever exercises the rights or functions of a lyshop designated in section 1, before having taken he engagement by oath, is hable to imprisonment from six months to two years.

The same perally attaches to the substitute or incumbent (vicyr general, official, &c.) who, after the yacancy of the episcopal see, continues to exercise the rights or functions of a bishop without having obtained, conformably to sections 2 and 3, the right to exercise them.

SEC, 5.—the minox clergy who, whether upon an order or commission given to them by a bishop not recognized by the State, or one whose functions have been revoked by a judicial decree, or by a person exercising, contrary to law, the rights and functions of a bishop, or by a subalitute named by these

persons, fulfil the duties of their employment are liable to a fine amounting to 100 thaters, or to a detention, or maximum imprisonment of one year, and it by virtue of such commission the rights and functions of a binkop are exercised, to an imprisonance of from six months to two years.

SEC. 6.—If the sec of a bishop becomes vacant by a judicial decree the President Superior must invite the Grand Chapter to immediately elect a vicar.

a judicial decree the President Superior must invite the Grand Chapter to immediately elect a vicar.

If the President superior is not informed within ten days that the election has taken place, or if the envagement by oath of the elect has not been taken within the delay of fourteen days, the Minister of Ecclesiastical Affairs names a commissary who is charged with the care and administration of the temporalities belonging to the episcopal see, and the chattels movable and immovable, placed under the administration of the said bishop, or of the titular of the see. The measures of constraint which may be necessary to put the temporalities at the disposition of the commissary are to be taken by the President Superior. He is authorized, even before the appointment of the commissary, and even as soon as he addressed the invitation to elect a vicar to the Grand Chapter, to take under his guard the temporalities above designed, and for that purpose to take the necessary measures by way of constraint.

SEC. 7.—The prescriptions of section 6 are also applicable:—First, in case a bishop's see becomes vacant by judicial decree the vicar of the bishopric abandons this office without the installation of a new bishop recognized by the State having taken place; and, second, in other cases of vacancies of episcopal sees, if the rights or functions of a clishop are exercised by persons who do not satisfy the conditions required by sections 2 and 3.

SEC. 8.—The dispositions of section 6 on the nomination of a commissary to administer the vacancy occurs by a bishop recognized by the State.

The Minister of Ecclesiastical Affairs has the right to prolong the celay.

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SEC, 9.—The administrative rights of the bishops are transierred to the commissary.

The expenses of the administration are taken out of the temporalities.

The commissary represents the episcopal see, or the bishops as such, in all legal relations touching the temporalities.

SEC, 10.—The administration of the commissary comes to an end as soon as a vicar, named in conformity with the prescribions of the present law, takes in hand the administration of the bishopric, or as soon as a bishop recognized by the State is installed.

SEC, 11.—The President Superior informs the pub-

installed.

Sec. 11.—The President Superior informs the public, through the Moniteur de VEtat, when the nomination of a vicar or bisnop has been made in conforming with the law, also of the appointment and removal of commissaries.

Sec. 12.—The application of sections 6 and 11 does not prevent the Grand Chapter from naming during the vacancy a private administrator of the temporalities.

during the vacancy a private administrator of the temporalities.

Sec. 13.—If in the cases provided for in sections 6 and 7 the election of the vicar does not take place within the prescribed delay, or if in fourteen days the engagement by oath of the person elected has not been taken, the Minister of Ecclesiastical Affairs will order the retention of the funds of the State allotted to the pay of members of the Grand Chapter which is authorized to carry out the election until a vicar has been appointed in accordance with the prescriptions of the present law, or a new bishop recognized by the State has taken possession of the see.

The Minister has, however, the right to continue to any member or members of the Grand Chapter

session of the see.

The Minister has, however, the right to continue to any member or members of the Grand Chapter the allowance decreed by the State.

SEC. 14.—During the continuance of an administration by the commissary, in the case provided in Sections 6 and 7, the person to whom, in virtue of patronage, or other title of law the right of presentation (nomination, proposition) for a vacant ecclesias ical employment, is authorized to reflii the employment in case of vacancy, and to establish a substitute in the same employment.

SEC. 15.—If the person who possesses this right makes use of it, the prescriptions of the law of the 11th of May, 1873, are applicable. The penalty which, in the twenty-second clause of the said law, menaces the superior ecclesiastic in case of illegal presentation to employment attaches in the same case the person having the right of presentation.

same case the person having the right of presentation.

SEC. 16.—If the person having the right of presentation, within a delay of two months, reckoning from the day the vacancy occurred in the ecclesiastical employment, and in the case where the vacancy occurred before the present law came into force, within two months from this law taking effect, has not provided a substitute, or in the delay of one year after the occurrence of the vacancy a new titular has not seen appointed, his right passes to the parish.

SEC. 17.—Provides for an election to a vacancy by the parish.

present, in face of the execution of the laws of the lith and 12th of May, having already led, in one case, even to the employment against a prelate of the extreme resort—that is to say, the bringing of an action to have pronounced a revocation of employment—it is necessary to look in the face the case where such a revocation has really taken place. At this point the struggle which the State has been forced to accept enters into a period which imposes on the State the duty of creating new means of defence corresponding to the situation of affairs, and to prevent, as much as it is in its power, the disturbance which might arise in the dioceses by a more widespread resellion against the laws of the State.

With the position the Roman Episcopacy and its adherents have taken in relation to the laws indicated, there is reason to lear that this opposition against the laws of the State may be carried to the length of remaing to recognize a sentence of the royal court for any ecclesiastic who might pronounce the revocation of a servant of the Church, particularly that of a bishop, and even to refuse to accept its effects. That it is the incontestable duty of the State—if one does not wish that the legal order may not be overthrown from its foundations—to enforce the execution of such a judicial senience, even were it necessary to employ extreme measures of repression and constraint. This has no need to be proved.

But, for the execution of a sentence pronouncing the revocation of an employment, it is necessary—

But, for the execution of a sentence pronouncing the revocation of an employment, it is necessary—
First—That the deposed bishop should be removed from his employment, and also from his officium and his beneficium.

Second—That it shall be brought to the knowledge of the authorities and employes of the bishopite as well as to all the clergy of the diocese that by the revocation of the bishop there is a vacancy in the see.

So far as concerns the first point the revocation of the employment has first, for effect (according to the second clause of the twenty-fourth section of the law of the 12th of May, 1873), the loss of the revenue of the employment; and as the decisions of the court are executable by means of the administration, the State can, in that case, take away from a deposed bishop the enjoyment of the entire revenue of his employment, including all the usuiructs, all receipts and prestations.

As to the question much more grave for the public interest to know in what manner the exercise of the functions of the employment will be continued, the actual law does not jurials sufficient means to put a term to to the activity, dangerous to public order, of a bishop deposed from his employment.

It is true that the thirty-first section of the 11th of

means to put a term to to the activity, dangerous to public order, of a bishop deposed from his employment.

It is true that the thirty-first section of the 11th of May, 1873, threatens with a fine of \$100, and, in case of a second conviction, as high as 1,000 thaiers, the servants of the Church who exercise the functions of their employment after they have been revoked in accordance with the thirmeth section. However, experience unioritunately shows that up to the present simpler pecuniary punishments are insufficient to maintain the authority of the law and to break down the resistance of the

to the present simpler pecuniary punishments are insufficient to maintain the authority of the law and to break down the resistance of the bishops, even on those points, where in other States the Catholic clergy submits to analagona ordinances of the State. It is thus necessary to have more efficacious means to assure in this relation the execution of a judgment pronounced by a royal court for ecclesiastical affairs.

In this regard we may ask if it would not be well to strengthen the penal enactment of the Well to strengthen the penal enactment of the Thirty-first section of the said law and particularly to menace in advance with the punishment of imprisonment, a crime which shows itself as a most grave attack on public order. If, nevertheless, the government of the State has thought well, for the moment at least, to abstain from such a proposition the reason is that the government still examines whether in presence of the hostile attitude of the episcopacy, who call in question the basis or all public order, not less that of particular States, than that of the Empire, it might not be time to claim the aid of the Empire, it might not be time to claim the aid of the Empire, it might not be time to claim the aid of the Legislation of the Empire to combat the elements hostile to the State.

In consequence the present project of law only treats the second of these questions, that is to say, how, leaving out the person of the deposed bishop, the diocese can be induced to recognize the see as vacant.

If the chapter and the clergy of the diocese rec-

the diocese can be induced vacant.

If the chapter and the clergy of the diocese recognize that the deposition of a bishop by judicial decree renders the see vacant the afair will follow the regular course. But the law in actual state of things ought to provide for this other case, where the chapter does not attach any validity to such a sentence, and does not recognize the existence of a vacancy in the Episcopal Sec. The chapter in this

case as well as the Vicar General will consider the deposed bishop as being in possession of the office, and, consequently, not only will continue to act as it the see were still occupied, but also will refuse to institute a temporary administration of the diocese by the nomination of a vicar of the chapter and afterward to proceed to the election of a new bishop. It is also to be expected that the clergy, at least the majority, will take side with the chapter.

He shaper.

It is then necessary to create, by legiciative means, first, the enactments necessary in case of need to lorce the recognition of the vacancy of the See and the cessarion of all official relation with the deposed bishop, as well as the measures to be taken in consequence for the nomination of a vicar ad interim by the bishopric and for the election of a new bishop.

With this is connected the second question—What help to ask from the State when an ad interimental the state, and not to the detriment of the most grave interests of the State.

In this relation it is necessary to consider that actually no precise conditions are fixed for the person of the vicar that the chapter ought to appoint. The reason may be sought in the fact that, according to the enactments which are in force in Prussis for the different docesses relating to the occupation of episcopal sees, the election of the new bishop should take place within three months, and thus the administration of the vicar ans been regarded as but transitory and of short duration. But experience, particularly in other German countries, has snown how the reoccupation of the episcopal sees, and so to render litusory all the guarantees which the State is considered it will be regularly with the state should have by the right which belongs to it to share in the presentation of episcopal sees, and so to render litusory all the guarantees which the State is considered it will be recognized that it is the duty of the State of the power which resides in the episcopal will be guarantees which the State is considered it will be recognized that it is the duty of the State of the power which resides in the episcopal will be guarantees which the State is one of the state of the power which resides in the episcopal will be opticed to the deliministration of such an object to recognize the law of the state.

As these considerations

to sections 1-30 the said in to an employment authorizing him to exercise said functions, or to a situation of substitute or auxiliary in a similar office.

3.—When an ecclesiastical employment is concerned on the living (cattels, revenues, &c.) to the place of the province) has the right to order the sequestration of the living (cattels, revenues, &c.) to the place of the province) has the right to order the sequestration of the living (cattels, revenues, &c.) to the place of the province) has the right to order the sequestration of the living (cattels, revenues, &c.) to the place of the province) has the right to order the sequestration of the seques many, partiy because the allowance for the greater number of the bishops is unitable of the property of the control of the con

time to legally re-fill it. Of these different cases they ought particularly to treat that where the see is vacated on account of a judicial process, in the first piace because of a danger to public order arising from the lact of the revocation, and secondly because there should exist no foundation for a fear that the vacancy might be contested from the religious side. As a measure of restraint it is proposed in section 6 to take possession and administer the temporal analis belonging to the episcopal see and of the movable and immovable property under the bishop or titulative of the see by a commissioner who shall be named by the Ecclesiastical Minister. They will here consider that this method of procedure is, on the one hand, the most delicate intervention of the state in such circumstances, for the interests to which they must have regard, and also to help the diocesans as far as possible; on the other nand it must appear just and equitable that the State should not permit persons who do not wish to submit to the Laws to undertake functions of such importance as those attaching to such administration. That all measures that may become necessary here ought to be taken in an administrative way results from the nature of the subject, in this sense especially, that they will act precisely as the procedure of administrative coercion, and it will be admitted that the President Superior, to whom belongs the saleguard of the fura circa sacra in the Church, is the most apt authority to order the necessary measures of constraint.

On account of the final clause it will be remarked that measures of provisional security and for the seizure of the temporal property in question will be, under certain circumstances, indispensable.

Exc. 7.—The dispositions of this paragraph extensible.

tion will be, under certain circumstances, indispensable.

BEC. 7.—The dispositions of this paragraph extend the prescriptions of section 6 to cases that require similar treatment. It reaches specially where the vicar of a bishopric as in the case provided for by section d, voluntarily or involuntarily resigns his vicariat without the installation of a new bishop known to the State having taken place. Here the procedure of section 6 ought to be recommenced. But there is another case like it, that is the case where for a vacancy, relative to which they have no need of a procedure with the object of making known the vacancy of the See—an episcopal vicar has been elected, it is true, but does not meet the conditions required by law.

by law. SEC. 8.—Finally, the coercive procedure of section

sec.—au episcopal vicar has been elected, it is true, but does not meet the conditions required by law.

Sec. 8.—Finally, the coercive procedure of section is declared applicable to every case of vacancy where a see remains vacant for more than a year without a bishop recognized by the state occupy-the chair. This arrangement is necessary to prevent an unjustifiable adjournment of the definite reoccupation of the Catholic episcopal sees. However, as there may be plausible reasons in some instances for such delay, the right is reserved to the ecclesiastical minister to prolong this period (fixed at a year).

Sec. 9.—This paragraph regulates the rights of the Commissioner of the State relative to the administration of temporal admirs, with which he is charged by section 6. The commissioner has not only to secure the property and to hold the revenues, but the also invested with all the administrative rights of the bishop whose place he takes. Consequently he may make expenditures like the bishop himself; that is to say, if he does not proceed in this in a manner contrary to the law. These rights of the commissioner extend notably to endowments, legacies, &c., whose administration belongs to the episcopal see or to any titulary thereof. But, besides, section 9 proposes—in cases where it is necessary to keep accounts, because a regular diocesan administration is needed—to transier at the same time to the commissioner the high administration and surveillance belonging to the bishop upon the temporal-ecclesistical in all episcopal resorts, including the curacles, chaplaincies, vicarintes and envowments. That appears to be the more necessary, as the approbation of the high ecclesiastical of the law of the light validity of a series of important arrangements upon the temporal affairs of the Church are made to depend upon the law of the land—for instance, the loaning of capital, the withdrawal of unds, the conduct of legal suits, &c.; consequently, the Legislature of the country has both the right and duty to take this i

sioner, is required in the interests of all whom it may concern.

Sec. 12.—it.m. been remarked above in several instances that the nomination of a commissioner for the management of the temporal affairs of a vacant episcopal see ought to have the power of legally electing an ad interim manager of the rights exercised by the bishop or to refill the see by a titulary, according to law. It will be seen by this measure (nomination by a commissaire) that the conditions set forth in the law now presented ought to be adopted without having regard to this; that a temporal or ecclesiastical administration might be established in the diocess in question. Thus, following the prescriptions of the Tridendium (see section 1) to nominate special stewards or where a chapter takes upon itself the Tridentium (see section 1) to nominate special stewards or where a chapter takes upon itself the administration of the temporal affairs, the proper episcopal authorities existing here and there for the administration of the temporal would remain in office—the prescriptions of sections 6 to 11 being no less applicable in the conditions stated by these paragraphs. The disposition of section 12 leaves in doubt on this head.

by these paragraphs. The disposition of section 22 leaves no doubt on this head.

SEC, 13.—As to the members of a grand chapter who reruse to conform to the law, their allowance, paid with the runds of the State, may be withheld until they have satisfied the law, as section 13 prescribes. This measure is needed to render intact the free action of the chapter in the remainder of the law. As it would not be just, however, to contound the innocent with the guilty, the power is reserved to the Ecclesiastical minister to except from this rule those memoers of a grand chapter who shall prove to the government of the State that they are not guilty of the whole body.

SECS, 14-19.—These paragraphs have for their object, in cases where the administration recurs

ment of the State that they are not guitty of the whole body.

Secs. 14-19.—These paragraphs have for their object, in cases where the administration recurs to a State Commissioner—i. e., where a religious diocesan administration is not legally established, or no longer exists—to offer the parishes the possibility, if a vacancy in the employ of the curé occurs, of obtaining a new pastor. The necessity for such a measure is demonstrated in the general portion of the above exposé. It is important also to specially observe here that the dispositions of the law apply not only to the cases shown in sections 6 and 7 find to those of section 8, because in the latter case there is an Episcopal Vicar appointed who, in consequence, can exercise validly the episcopal rights of employés, and which the law of the State imposes on the superior ecclesiastics. Section 14 is to serve as an act of justice to the parishioners, who, on account of their superior ecclesiastical functionaries, have been deprived of a pastor. Particularly the fourteenth section proposes to give to those who possess the right of presentation or of nomination to a clerical living the power of refilling that place on his part, or seplacing a temporary minister in the living. In this case he will necessarily have to be guided by the prescriptions of the law of May 11, 1873, relative to the education and the nomination of colesiastics, as ordered in section 16, But if, having the right to delay the nomination for a limited time—which section 16 proposes to fix at two months—he does not use the power belonging to him, or if he has not that right to delay, then the power ought to recur to the parish itself, in order that a new pastor may be elected. The dispositions on this head in section 16, and continued in section 17, also altach to the prescriptions of the general right of the country (sections 335–325), and grant certain modifications, according to circumstances. In order to assure, also, in case of a parish election, the observance of the prescription

WHAT WILL BE THE EFFECT ? The practical effect of the new laws, which are drawn up in a spirit of terrible earnestness, will se to place the Catholic Church in Prussia absojutely under the control of a Protestant sovereign and his Ministers for the time being, so that there shall be no refuge even in religion from the temporal power. For the present I will only state the case of the Pruseian government as it has been placed before me by Prince Bismarck and from other sources of information.

THE ARCHBISHOP OF POSEN. I learn, for instance, that the trial of Archbishop Ledochowski, now proceeding, is an unprece-dented event. His Grace the Archbishop is being tried before a new tribunal, instituted to offence-an offence not even is, therefore, being tried unconstitutionally under

constitutional institutions! A complete organization for the administration of justice in ecclesia-tical cases incident to the affairs of the Evangencal Church has long existed in Prussi 1 in the concret shape of

A RIGH COURT OF APPEAL, the members of which are clergymen, who are at the same time government officials. But, inasmuch as the Catholic Church in Prussia has hitherto enjoyed a constitution of its own, secured to it by an agreement with the Roly See, equivalent to a treaty between secular Powers (though not identi-cal with a concordat which would exist between the Papacy and a Catholic Power), the State, being suddenly called upon to deal with the inner ecclesiastical life of the Roman Catholic Church in Prussia, found itself considerably embarrassed to effect this object in a manner compatible with the spirit of the age, which does not at present admit the frequent practice of burning priests for want of complete subservience to official persons.

SUBJECTING THE SURPLICE. A resolute attempt is therefore being made to officialize the Catholic clergy in Prussia as the Protestant clergy have been officialized and to make them simply servants of the State, not servants of Heaven. Priests are to be examined in the same manner as competitors for situations in the custom house and the excise, and the sanction of the King of Prussia or the delegates of his authority is henceforth to be legally necessary to every nomination to a beneace or cure in the Catholic Church. This will, as experience abundantly proves, literally place men's souls as well as their bodies, fortunes and characters under a tyranny of small clerks. When the project above mentioned was made known to the Roman Catholic bishops in Prussia they answered, "No, we will not obey this law. We hold the right to ordain priests direct from God. We will give unto Cæsar the things which are Cæsar's and to God the things which are

God's. These things are not Cæsar's." laws into effect, and we mean to do so. If you pishops will not conform to them we are empowered by the May statutes to fine you and to imprison you for every intraction of them.

PENAL EXACTITUDE.

And let there be no mistake on this subject. The Prussian government, as at present advised, will exact any amount of fines which the tribunals impose in accordance with the May statutes to the last farthing, and it will keep non-conforming bishops in prison for the full term of their lives

The point in Archbishop Ledochowski's case is this:-His Grace is to be tried for refusing to pay a fine imposed on him by the judges of the land, and it is alleged that the Archbishop is a State official who has taken the oaths of fealty, consequently his refusal to pay a fine exacted by the Crown is construed into a breach of his oath and a disobedience of the laws he has sworn to obey. Possibly what he should or might have done would have been to pay the fines under protest, and then to have proceeded against the government for illegal enactments, contrary to the tenor of an existing agreement with the Holy See.

## THE CHARLESTON RACES.

ing-Hitchcock's Boone Filly the Win-ner of the Two-Year-Old Purse, Limestone the Dash of Two Miles and Ortolan the Mile Heats. CHARLESTON, S. C., Feb. 27, 1874.

The second day's racing has shown no abatement of the general interest manifested in the great sporting week. Trains from the country continue to bring numerous visitors, and the track is densely thronged by all classes and complexions of people. The hotels are thronged and vehicles or any kind cannot be had for love or money. The weather is delightful, and the scene at the course

weather is delightful, and the scene at the course attracts universal attention, even to the abandonment of business. Even the courts adjourn early to afford an opportunity to the judges, lawyers, jurymen and witnesses to attend. Southerners are born followers of fortune. They speculate easily, and there are men here who are risking their last dollar, while they are uncertain of their next meal. This is what makes the occasion more than usually interesting.

DASH OF HALP A MILE.

The first race was a haif mile dash for two-year-olds, for a purse of \$200; \$150 for the third. The entries were Hitchcock's brown filly, by Boone, dam Meanness, by Brown Dick; Lewis & Co.'s bay mare vandahle, by Vandal, dam Vesper Light; Dr. weidon's chesinut filly Mortgage, by Johnnie Hooper, dam unknown; T. G. Bacon's chestnut filly Flower Girl, by Australian, dam Neutrality, by Revenge. The betting largely lavored Bacon's entry, which is a South Carolina horse, and odds were about 2 to 1; but in the race the Boone filly came in first, showing complete control of the track. The time made was \$234, Vandalite second.

WASHINGTON COURSE, CHARLESTON, S. C., Feb. 27, 1874.—SPRING MEETING OF THE SOUTH CAROLINA JOCKEY CLUB—SECOND DAY—FIRST RACE.—Dush of half a mile, for two-year-olds; purse \$200, of which \$160 to the first, \$30 to the second and \$20 to the tuird horse.

L. A. Hichcock's br. f., by Recogn.

hair a mine, for two-year-losts, parse \$230, of which the taird horse.

L. A. Hichcock's br. f., by Boone, dam Meanness, by Brown Inck.

A. B. Lewis & Co.'s b. i. Vandahite, by Vandal, dam Vesper Light.

2. T. G. Sacon's ch. f. Flower Girl, by Australian, dam Neutrality.

3. Dr. Weldon's ch. I. Mortgage, by Johnnie Hooper, dam unknown.

DASH OF TWO MILES.

The second race was a two mile dash for all ages, for a purse of \$300; \$200 to the first horse, \$75 to second and \$25 to the third.

The entries were Hitchcock's chestaut colt Limestone, by War Dauce, dam Transylvania; Lewis's Joe Johnston, by Hunter's Lexington, dam by Oilver; Jordan & Wilson's Revenge, by Revenue, dam unknown; Colonel Bacon's Jim Hinton, by Rogers, dam by Leviathan. The time made in this race was 3:51, Elmestone being the winner; Revenge second, Jim Hinton third and Joe Johnston ton lourth. The first two ran nearly head and head.

## A HUMANE LABOR LAW.

Passage by the Massachusetts Senate of the Bill Prohibiting the Employment of Women and Children More than

The Massachusetts Senate has passed the Ten Hour bill to engrossment by a vote of 18 to 14. it provides that women and children under eighteen years of age shall not be employed in establishments for the manufacture of textile labrics, threads, yarns or worsteds more than sixty hours a week, or an average of ten hours a

lay. Each offence is punishable by a fine of \$50. "WOODMAN, SPARE THAT TREE!"

The Paddock Elms of Boston Remorselessly Cut Down.

Boston, Feb. 27, 1874. In conformity with a municipal order the famou Paddock Eims" on Tremont street, were cut down and removed to-day. A great crowd wit-nessed the operation. The Natural History Society is to have a section of the largest tree for preserva-tion, as showing the largest English elm that ever grew in Bosion.

## "BIG FRANK'S" FATE.

Interview with the Newcastle Convict in Philadelphia.

HIS STORY OF THE ARREST.

HIS RETURN TO THE JAIL.

Reticence as to the Manner of Escape.

PHILADELPHIA, Peb. 27, 1874. I went down among the cells of the Central Police Station this afternoon and interviewed the notorious "Big Frank."

I found him in cell No. 4, sitting upon a rude bench, perusing the columns of a daily journal. As the door swung back upon its hinges and as I entered the place Frank arose from his rough seat and earnestly regarded me. As I stood face to face with the prisoner and as the door was closed behind with a bang, leaving us alone, I could scarcely help expressing surprise. BIG FRANK'S GENTEEL APPEARANCE.

"Big Frank," as he stood before me, was the direct opposite of the "Big Frank" which in my mind I had supposed him to be. I had anticipated meeting a physical giant, and one upon whose face would be found the marks of dissipation and crime. I found in him nothing of the sort. On the contrary, I confronted one whom, if met upon the street, I would have instantly regarded as a gentle-man. He has a figure that is tall and somewhat atooping; a face apparently open, frank and covered with a thin, reddish beard; a forehead high, broad and gracefully defined; a bright, keen, penetrating eye; a frame the every motion of which was neither awkward nor considered; an address that was courteous and somewhat dignified. Such is the notorious "Big Frank," the stigmatized thief, burgiar and murderer, who stood before me, and such the general appearance and manners of the man who quietly stepped forward and extended his hand.

THE SCENE IN THE CELL. The place was not entirely dark, for a few rays of light, creeping through a solitary window, wrought here and there a few bright shadows upon the sombre floor. A dull, heavy atmosphere pervaded the apartment. Accepting his invitapervaded the apartment. Accepting his invita-tion to be seated I took a position upon the rude bench close by his side. Letting the paper he had held in his hand instessly tail upon his lap he instened to my hasty introduction and said that he was glad to meet me.

"I have just returned from Newcastle," I said, "and saw the Warden and Sheriff yesterday. The Warden's statement is published in the HRALD of to-day, and the Sheriff has nothing particular to communicate."

Warden's statement is puolished in the HERALD of to-day, and the Sherif has nothing particular to communicate."

DISAPPOINTMENT OF THE NEWCASTLE FEOPLE.

"Oh!" said Big Frank, crossing his legs carecissiy and running his hand through his beard, "those people down there are peculiar persons, and I really do not suppose that they are at all anxious to get me back. You ought to hear how they discuss taxes and all such things. The jail seems to be a burden upon the community, and I nave no doubt that our escape relieved them of a somewhat heavy burden."

"Did not your arrest surprise you?" said I.

"My arrest is late!" he answered, knitting his brows and fixing his eyes steadily upon me. "It is late! late! late!—simply fate and nothing else. That fate which begins with the career of all such creatures as myself, which follows us night and day like a shadow, which interrupts our private peace, which disturbs our dreams, and which intuits fate which best our dreams, and which intuits fate which to story. No more remarkable arrest can be found in criminal record. No matter where I had only been in daylight for five minutes. I saw a horse car passing down Master street, and, upon looking at it, saw a man steadily gazing at me from one of the windows. I left uneasy, though I did not recognize the face, and stepped in the first saloon I came to. I was forced to come out, in order to get something to eat. You know what followed. The man found a constable and arrested me. Think of it! Had I come out of the place where I was staying one moment lates the afair could not have taken place. Had the car not been behind time to-day, instead of being here I would have been free. The man who recognized me is a resident of another city. He passes down Master street, recognizes me and brings me to this dreary cell. Sir, it is late, inte, and nothing less."

BIG Frank was disheatened and desyondent. His confinement at Newcastle had cast upon his lace a pale and unnatural color, and the general appearance of the man indicated langour a

tique.

"You of the press," said he, "wield an awful power—an awfully immeasurable influence. You can litt a man up or you can pull him down, for in your hands numanity is a toy, which you can hurt this way or that way at your will. But," he continued, drawing nearer to me, to the down down lower than that low posi-"don't put a fellow down lower than that low position in which his fate always locates him. Don't
do this. Don't heap upon my shoulders any further disgrace than tha, which is aiready heaped
upon them by the law. Bon't ransack my career
in order to show how each step of my life has
slowly but surely brought me to this jail.
Don't—"
I gave him my assurance that I had come for no
such purpose, and that my time would not in such
wise be employed. I told him that, on the contrary, I had come to see whether he had anything
to communicate to me.

wise be employed. I told him that, on the contrary, I had come to see whether he had anything to communicate to me.

THE PART PLAYED BY FRAZIER.

"I am well," he returned. "I siept comfortably last night. I don't know what will be done with me. I believe this is all I have to communicate. I can think of nothing more just now."

"What about Frazier?" I asked. "The Sherin tells me that he was the main instrument in effecting your release."

"Yes. He served us all a good turn," Frank replied, "I never knew him belore I met him in prison. He did aid us materially."

THE WOMAN, THE TUG AND THE CARRIAGE.

"And the woman and the tug ?" I suggested.

"Simply a piece of romance," he returned.

"What about the carriage found at Holly Oak Station?" I asked.

"I assure you," said he, "that I had no connection whatever with the carriage."

"I presume that when you were rescued part of your party went one way and part amother?"

"A very good assumption," he answered, "for our friends, after we were once free, would not care to risk the probability of being seen with us."

"A rumor was affoat last night that your companions were arrested."

"I was sheer nonsense," said he, "to imagine

our friends, after we were once free, would not care to risk the probability of being seen with us."
"A rumor was affoat last night that your companions were arrested."
"It was sheer nonsense," said he, "to imagine that they were still here. They fied hours before I was seen. It was fate that detained me; late that delayed the horse car; late that put that stranger in one of its seats; late that caused him at a particular moment to look out of the window; late that I should go in a saloon opposite or near an aiderman's office; fate that a constable should be there at such an hour, and fate that prevented mirrom escaping his toils. It was fate from beginning to end, and of fate I am now the victim." No word could be got from him of the method of the escape; of the means by which those within communicated with those without; of the departure or whereabouts of his comrades. The cell was dreary and uncomiortable, while Frank was dull and despondent.

NewCaSTLE'S COLDNESS Toward Frank.

I left him there alone, and no sooner had I passed above when I saw Sheriff Armstrong, of NewCaSTLE. The Chief of Police of this city had telegraphed him to come up early this morning, and the Sheriff indifferently responded that he would come up on Saturday. The Chief of Police shen sent back word that if the authorities down there wanted him they must come up at once, and so they came.

Captain Thompson went below with Sheriff Armstrong and held in his hands a pair of handcuffs.

"Frank," said he, "I am sorry to place these upon you."

"Oh, well," he responded, indifferently, "you

"Frank," said de, upon you."
"Oh, well," he responded, indifferently, "you might as well do it as any one else."
So they took Frank from his cell and placed him in a carriage.

THE NAPOLEON OF THIEVES.

As soon as he was seated, and after the carriage was upon its way to the depot, Frank said:—
"The fates are against me. Napoleon at Water-loo wished for either darkness or Grouchy, and so was it with me yesterday. I wished for darkness

was it with me josteraly. I wished to tarkets or —"
He did not finish his sentence. When they arrived at the Baitimore depot an immense crowdawaited them and hundreds thronged about the,
prisoner to catch a glimpse of his face. A special
reight car had been provided, and the Sheriff and
his deputy, placing Frank within, entered it, the
door being firmly locked behind them. What may
happen between this point and Newcastle no one
knows. Perhaps all will be well.

Big Frank's Arrival at the Newcastle Jail-Great Excitement Among the Inhabitants. NEWCASTLE, Del., Feb. 27, 1874.

Big Frank was placed in his cen at a quarter past seven this evening. He was very drunk. The wildest excitement prevails. He refuses to give any account of the escape of himself and his com-panions.